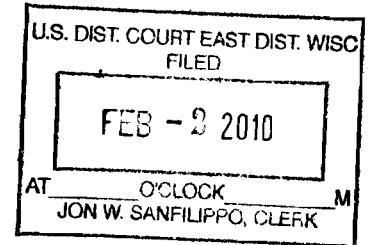


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN



**DR. VELTON C. WHITE and
DONNA WHITE,**

Plaintiffs,

v.

**MICHAEL C. MARSHALL,
SUPER SPRING ORTHODONTICS, LLC,
SPEEDALIGNERS, LLC,
NIGHTSHIFT LLC, and
DANIEL BISHOP**

Defendants.

Case No. 07-CV-892

Judge J.P. Stadtmueller

**DEFENDANT MICHAEL MARSHALL'S MOTION FOR
RECONSIDERATION OF THE DENIAL OF HIS
MOTION TO DISMISS THE AMENDED COMPLAINT**

I, Defendant Michael C. Marshall, *pro se*, hereby move for reconsideration of this Court's Order of December 23, 2009 denying my Motion to Dismiss. (Dkt. No. 78)

Unfortunately, my prior counsel had to withdraw from my representation while my Motion to Dismiss was pending. Accordingly, I was representing myself *pro se* at the time my reply brief was due, and did not know that I could file a reply brief. Thus, the Court did not have the benefit of a reply brief when issuing its December 23rd ruling, and I now understand that I could have address many of the Court's questions in such a reply.

Co-defendant Daniel Bishop ("Bishop") has now filed a Motion to Dismiss Plaintiffs' Amended Complaint for copyright infringement that addresses the questions the Court had in its December 23rd ruling. Like Bishop, Plaintiffs seek to hold me individually liable for the alleged direct infringing acts of Defendants Super Spring, Speedaligners and Nightshift. As a result,

should Bishop's Motion be granted, I respectfully request that the Court reconsider whether I should also be dismissed from this case for the same reasons asserted in Bishop's Motion.

Dated: January 29, 2010

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Michael C. Marshall", written over a horizontal line.

Michael C. Marshall, Pro se
Defendant
Tel.: 262-653-9400

CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2010, served the foregoing document by first class mail, postage prepaid, on the following parties:

John P. Fredrickson
Boyle Fredrickson, S.C.
840 N. Plankinton Avenue
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*Attorney for Plaintiffs Dr. Velton C. White
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Michael C. Marshall
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Speedaligners, LLC
4629 52nd Ave., Unit C
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Super Spring Orthodontics, LLC
4629 52nd Ave., Unit C
Kenosha, Wisconsin 53144

Nightshift LLC
4629 52nd Ave., Unit C
Kenosha, Wisconsin 53144

A handwritten signature in black ink, appearing to read 'Michael C. Marshall', written over a horizontal line.

Michael C. Marshall, Pro se
Defendant
Tel.: 262-653-9400